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#### HEARING RESUMED IN PANAMA CASE

Mr. McNamara Argues from Previous Testimony.

SOURCE OF STORIES TRACED

Government Attorney Establishes bits of testimony to show the connec-Claims that They Had Sufficient Opportunity to Investigate.

of the libel cases against Delavan Smith and Charles C. Williams, under indictment at Washington, in connection with of the case to-day.

Irving C. Sauter, a government Secret support his denial.

Mr. McNamara read all the articles prosperous and happy.

In rejoining, Mr. Glass held that farm Service man, was the only witness introduced by the government. He testified set out in the indictment to show, he Indianapolis News, in Washington, and The articles themselves, he said, stated

Mr. McNamara said he would have a sked why the suspected persons did not documentary evidence, and began by bring forth these records to support their reading portions of the testimony given denials of guilt in connection with the reading portions of the testimony denials of guilt in connection with the by William Nelson Cromwell before the transaction. This, he said, showed that Senate investigating committee in 1906, the defendants could have investigated when the Senate was investigating the the charges before publishing the alleged transaction by which the United States libelous articles if they had cared to obtained the Panama Canal property from make sure of their facts.

Made Offers to Sell.

grams which were sent by officers of the Panama Canal Company in Paris to its representative in Washington, making offers to sell all of the canal property and concessions in Colombia and elsewhere to the United States for \$40,000,000.

"That first cablegram was sent just two days after the House of Representatives of the United States had passed the Nicaraguan canal bill," said Mr. Winter. of counsel for the defense.

Mr. McNamara introduced in evidence an article published in the Indianapolis News on October 26 under a heading, 'The Canal Deal," and another, published on December 10, under a heading, "Who set out in the indictment.

stand to testify to the circulation of the Ferrer, the anarchist leader. The meet paper in Washington. He was examined by Mr. Miller, for the government, and the paper in the Library of Congress, and that he obtained several other copies from James P. Hornaday at the office of the Indianapolis News in Washington. of the Indianapolis News in washington.

Mr. Hornaday refused to supply the papers until he had been served with subpers until he had been served fury with them.

Not in First Edition,

Mr. McNamara said that when he was Well and published in the New York World on October 6, 1908, was printed in the edition which was sent to the Indianapolis News, but that since then he had well and published in the New York News. Counsel for both sides agreed that the record should show this. No further testimony was offered, the government resting its case. The defense

Mr. McNamara took up first the question of whether there was probable cause falen, the first vessel of the super-Dread-for belief that the defendant committed nought type built for the German navy, the crime alleged in the indictment. He recalled the testimony to the effect tract requirements, developing a speed of that Mr. Smith read a Panama Canal twenty knots, while her engines indicated of our own campaign." article in the New York World in New 24,000 horsepower. Her contract calls for York, and that he clipped out the story a speed of nineteen knots, with 20,000 and filed it with a telegraph company to horsepower.

**Facts** 

be telegraphed to the Indianapolis News. The testimony was, too, that after only a few words of this dispatch had been re-ceived at the News office, H. A. Palmer,

showed Mr. Smith's connection with the publication of the article.

Mr. Williams, he said, testified that he affairs of Virginia. He compared the did not write the alleged libelous articles, manner in which the two candidates for

articles in question. Purpose of Publication, Mr. McNamara said he referred to these

Connection of Smith and Williams tion of the defendants with publication of with Alleged Libelous Articles, and the articles in question and the purpose behind the publication. He said the testimony showed that none of the parties had tried to verify the rumors and the charges made in the Panama Canal matter, but that they had gone ahead and Indianapolis, Ind., Oct. 11.-The hearing published them without investigation. Mr. McNamara contended that the poothers, for strictures on the Panama made a denial of the charge he should Canal purchase, was resumed before be regarded as guilty until he proved his Judge Anderson, of the Federal court, innocence. He said Charles P. Taft dethis morning. Stuart McNamara, chief counsel for the government, took charge against him in relation to the Panama Canal deal, and yet the News said Mr.

Indianapolis News, in Washington, that he had seen copies of the News on that he had seen copies of the News on that the records of the Panama deal were all accessible in the government office in Washington, and the articles office in Washington, and the articles of the Panama deal were all accessible in the government office in Washington, and the articles of the Panama deal were all accessible in the government of the panama deal were all acces of cross-examined.

Mr. McNamara said he would introduce asked why the suspected persons did not

#### Mr. McNamara read copies of cable- ROME FACING GENERAL STRIKE

Malcontents Plan Big Meeting Today, but Troops Are in Readiness.

Entire Garrison at Italian Capital Mobilized and Cavalry Horses Unshod for Use in Streets.

Democratic and Socialistic parties, and These were articles the anarchists have organized a meeting for to-morrow to protest against the trial Mr. McNamara went on the witness by court-martial at Barcelona of Prof. ing has been prohibited by the police who threaten to prevent it at all costs.

The organizers are determined to hold the meeting inside the Piazza Campo del Fiori, near the statue of the apostate priest Glordano Bruno at the Porta An-Podrecca, editor of the Asino, Anarchist Forbicini will preside at the

meetings. A general strike was proclaime here for the former hearing, he believed throughout Rome this afternoon. It is the deal made by William Nelson Crom- cludes all the tramways and cabs. The State, where he might draw larger police are taking great precautions to crowds than has been his fortune at found that the article was published in mobilized, and the cavalry horses have years ago on the insolvent delinquent

WESTFALEN EXCEEDS CONTRACT Germany's First Super-Dreadnought announced that it had nothing more to

Does Twenty Knots. Bremen, Oct. 11 .- The battle ship Westin a trial trip to-day exceeded her con-

Is alcohol a tonic? No! Does it make the blood pure? No! Does it make the blood rich?

Ask your doctor if this is not true.

Does it strengthen the nerves? No!

Is Ayer's Sarsaparilla a tonic? Yes! Does it make the blood pure? Yes! Does it make the blood rich? Yes!

#### SLEMP IS SCORED AS POLITICAL BOSS

by Him, Says Glass.

JOINT DEBATE WITH McCAULL FORTY DAYS' STAY GRANTED

Speech Is Forty-five Years Old. Charges Glass with Voting for Protection While in Congress.

Amherst, Va., Oct. 11.-In a joint de-McCaull, assistant postmaster of Lynch-"Democratic-boss-ruled" Virginia, de- Federal prison. clared that the Republican party in Virginfa is "bossed" absolutely by Reprewho is also Republican State chairman. Mr. Glass then entered into a comparison of the two parties in Virginia.

The debate, considering the reputation of the two men forceful and fiery speakers, was not as strenuous as some expected, although both Republicans and Democrats are satisfied with the showing of their orator.

Glass Opened. Mr. Glass opened the speechmaking was readily granted. for one hour; he was followed by Capt. McCaull in one hour and twenty min-

but that they all came to him for approval before being published in the News.

This, Mr. McNamara said, showed the This, Mr. McNamara said, showed the This are opportunity to voice that a decision of the decision of the fall term of court opened to-day, but it was not expected that a decision of the fall term of court opened to-day, and the fall term of court ope

The Republicans, on the other hand, he said, held a convention at Newport News, which was made of Federal officeholders. He then branded Mr. Slemp as the Republican czar of Virginia. He charged that Mr. Slemp's power lay in controlling the Federal patronage of Virginia. He said that post-offices in his district are farmed out to the highest bidder.

An Old-time Talk, Says McCaull. Capt. McCaull, in replying, asserted that five years old. The Republican speaker sition of the Indianapolis News in this then went into comparison of the times matter was that when a man was under protection with those under Democharged with graft and orime and had cratic administrations. He said that the Marshal Henkel's office,
Democratic members of Congress had in-Taft had not produced any evidence to present conditions, saying the former friends who surrounded him support his depial.

the government. He testined said, that the libel was continuous, runhad visited the office of the had visited the office and the libel was continuous, running through the News for several days.

The destined said, that the libel was continuous, running through the News for several days. under a Republican tariff.

TAFT'S LETTER AN ISSUE.

Williams and Slemp Exchange Compliments Over Suffrage Fight.

pecial to The Washington Herald. Roanoke, Va., Oct. 11 .- President Taft's etter, attacking the Maryland suffrage amendment, has been thrust into the Virginia gubernatorial campaign, and Repubican State Chairman Slemp is called at once admitted. upon by Judge Sam W. Williams to anfrage, and whether he is in favor of negro pending the stay of forty days in the enfranchisement in Virginia. enfranchisement in Virginia.

When seen to-night, Mr. Slemp, in a ed as doubtful whether the court will statement, refused to comment upon the grant the request. President's letter, and charges Judge Williams with trying to seek "cheap

Judge Williams charges that the Reter, in which the Maryland suffrage cation,

iams, said: "If Judge Williams finds the issues before the Maryland voters more attractive to him than the defense of the Demo-cratic administration of State affairs in Virginia, I suggest that he go to that

provisions of the Virginia constitution regarding Confederate soldiers, though after asserting on the stump in the State that no man was to exercise the privilege of suffrage unless he had paid the \$1.50 bowels. Keep them clean and free from capitation tax according to law.

nounces the creation of a navy war

#### CHARLES W. MORSE RETURNS TO CELL

Virginia G. O. P. Controlled Court of Appeals Affirms Conviction by Jury.

Lynchburg's Assistant Postmaster Counsel Martin W. Littleton Will Apply for Writ of Certiorari to Supreme Court of United States. Must Begin Fifteen-year Sentence in Federal Prison if It Is Refused.

New York, Oct. 11 .- Unless the United States Supreme Court grants a writ of ate here to-day with Capt. Patrick H. certiorari to Charles W. Morse, the convicted banker must within forty days go ourg, Representative Carter Glass, of to Atlanta, Ga., there to begin the service he same city, in meeting the charges of fifteen years' imprisonment in the

To-day the Circuit Court of Appeals affirmed the conviction by the jury in sentative Slemp, of the Ninth district, the United States Circuit Court in the trial of Morse for misapplication of the funds of the National Bank of North America and the making of false entries The joint debate, widely advertised, at- in the books of the bank and in reports tracted several thousand people here, a to the Comptroller of the Currency. large majority of whom were Democrats. After the decision of the higher court had been handed down, Martin W. Littleton, counsel for Morse, asked the court or forty days' stay in the issue of the mandate that he might have ample time to prepare his argument in the application to the Supreme Court at Washing-ton for a writ of certiorari. The stay

Surrendered to Marshal, Morse went to the Federal building who at that time was acting as manag-eing editor, stopped the message and wired Mr. Smith in New York that the same dispatch was being sent by the As-sociated Press. Mr. McNamara said this showed Mr. Smith's compaction, with the the same time defending the record of visions of the \$125,000 ball bond subscribed the Democratic party in managing the to by his friends and business associates provided that Morse was to surrender

would be handed down so soon, owing to Judge Noyes' absence in Europe. Judge Judges Lacombe and Coxe, but he ha en in Brussels during the sum attendance at the maritime conferen and it has been the impression that h had not yet arrived at any opinion in the case. This impression was strength ened when Morse's new bail bond, hint ing at a possible delay of a decision by the Court of Appeals and providing for Mr. Glass was making a speech forty- down, was filed a few days ago. It was were taken by surprise at the sudden turn the convicted man's affairs had taken,

dorsed protection by their votes in Con-gress during the recent tariff legislation. Mrs. Morse, and Mr. Littleton were in the then contrasted the conditions in close conference. The banker appeared Lynchburg under Cleveland with the the least affected at his plight of all the

Snapped by Cameras.

under Cleveland. He referred to the re- to the main entrance of the building and cent panic and said every panic this entered Mr. Morse's electric cab. Before country has felt in recent years started stepping into the vehicle the banker stood a moment to give the photographers an opportunity to snap him.

With Deputy United States Marshal Kumb on the box with the chauffeur, the Morse's case the matter has been so thorparty was driven to the Tombs. There oughly reviewed that it is doubtful if the Morse was placed in the same cell he Supreme Court will see any necessity for occupied after his conviction last Novem- taking it up. ber. He declined to be interviewed. His cell is 712 on the fifth tier, the section devoted to Federal prisoners. His son

Mr. Littleton refused to make any stateably be done to-morrow, but it is regard-

Will Oppose Bail. United States Attorney Wise said today it was against the practice of the court to grant ball after the affirmance publicans of Virginia are anxious to again of a conviction by the lower court, and the negro. He cites President Taft's let- Morse case, would say nothing for publi-

amendment is described to be a "gross" There is considerable doubt felt also in misjustice and a violation of the fifteenth Federal court circles as to whether or amendment." Judge Williams wishes to not the Supreme Court will grant a writ know if Chairman Slemp and Capt. Kent of certiorari. It was authoritatively approve this letter, and declares that the stated to-day that not more than between people of Virginia should know their 10 and 15 per cent of the applications for know him. views of this important subject. Mr. Slemp, in answering Judge Will- which they are granted must be of great public importance, or they must involve

There are two forms of bodily cleanliness, the external and the internal. The one is for your pride in yourself; found that the article was published in mobilized, and the cavairy norses have years ago on the article was published in mobilized, and the cavairy norses have years ago on the instruction.

The one is for your life and health. Both the second edition is not sent to the on the paved streets. portance in the long run is the internal

about their body-the cleanliness of the obstructions. To do this you must have one or two movements of the bowels each twenty-four hours. If your system does not do this naturally, in the protein some cheap notoriety for himself, or to divert attention from the real issues of eating and drinking, then you to divert attention from the real issues of our own campaign."

CREATES NAVY WAR COUNCIL.

CREATES NAVY WAR COUNCIL.

CREATES NAVY WAR COUNCIL.

CREATES NAVY WAR COUNCIL.

Long Contemplated by Reformers.

London, Oct. 11. — The admiralty announces the creation of a navy war council. This is a move which has long will reflect a brief continuance of its use nounces the creation of a navy war council. This is a move which has long been advocated by naval reformers.

The council will be presided over by the first sea lord of the admiralty, the other members being the officers directing the naval intelligence department and the naval mobilization department, and the assistant secretary of the admiralty.

The mobilization department is a new one, which has been formed especially to deal with war plans and the mobilization of war ships. sour stomach, and such ailments, and

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an interpretation of a statute, or they

may be cases in which two circuit courts

appeals have held differently.

GIRL COMES TO AID OF NEGRO

nounce whether he approves the stand ment to-day, except that he would soon taken by the President on negro suf- ask the court to admit Morse to ball Life of Condemned Man.

> Admits She Was Present at Murder and that the Prisoner Is Not the Guilty One.

enfranchise the negro and control that vote, and he believes that if the Republicans triumph this fall an effort will be made to undue the work of the constitutional convention, which eliminated States Attorney General to prosecute the stitutional convention, which eliminated States Attorney General to prosecute the stitutional convention. Wilkesbarre, Pa., Oct. 11.-Declaring made an affidavit which may save Willis' neck from the noose. Willis has claimed all along that he was innocent, and the girl has several times told his attorneys that he was not guilty, even though she has no interest in Willis and does not

> To-day she made the affidavit, and tonight M. B. Schnerr, attorney for Willis, hurried to Harrisburg with it, in the hope of inducing the governor to grant a respite.

Rosalie Williams declares in her affida-vit that she was present at Cool's barn on December 6, 1907, the night Cool was murdered, and that the only other persons there were Robert Vallee, a Frenchman, and Henry Todd, a negro, Cool's valet. She said that Vallee quarreled with Cool about loaning money, and struck Cool on the head with a heavy revolver. She said that at the time of the murder Willis was not there; that she did not see him at all that night, and that he is an entire stranger to her; Discontinuous.

This is one point that all should watch he had already been robbed, his trousers pockets were hanging out, and his watch was gone.

of a man who is not guilty, and she believes she has done her duty. Vallee and the girl, it is alleged, were trying to get Cool to pay them money to keep silent about an alleged entanglement with the girl

EXPRESS OFFICE ROBBED. Bandit Binds Clerks and Carries Off

Large Sum of Money.

Seattle, Wash., Oct. 11 .- After binding and gagging the night chief clerk and his assistant and carrying them to an unoccupied part of the building, a robber About Does it make the blood rich? Yes! Does it strengthen the nerves? Yes! Entirely free from alcohol? Yes!

Alcohol, or no alcohol! Let your doctor decide. He knows. Trust him.

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The first great rule of health—"Daily movement of the bowels." Ask your doctor if this is not so. Then ask him about Ayer's Pills. Sold for sixty years.

Re-elect Road's Officials.

Savannah, Oct. Il.—At the annual meeting of the directors of the Central of Georgia Railroad to-day President J. F. Hanson and all the old officers were elected. It has been rumored for some weeks that Hanson would be retired, but so far as can be learned there was no opposition to his re-election. J. T. Harahan, of Chicago; R. S. Lovett, of New York, were chosen directors as representatives of the Harriman Interests.

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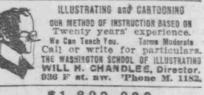
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